

21. (amended) An apparatus for imaging excised tissue having a refractive index comprising:

a tray upon which excised tissue is disposed;

means for clamping said excised tissue upon said tray; and

BS optics directed towards the excised tissue through a portion of said tray in which said tray contains an immersion media having a refractive index matching the refractive index of said excised tissue, wherein said clamping means represents one or more fingers capable of holding said excised tissue upon said tray.

30. (amended) A method for imaging excised tissue comprising the steps of:

providing a container having a surface for placement of said tissue;

restraining said tissue in said container against said surface in a fixed orientation; and

imaging said tissue through at least part of said surface of said container.

BB 31. (amended) A method for imaging excised tissue comprising the steps of:

providing a container having a surface for placement of said tissue;

restraining said tissue in said container against said surface; and

imaging said tissue through at least part of said surface of said container, wherein said restraining step is carried out with the aid of one or more members extending into said container.

#### Remarks

In response to the drawing objection, a new FIG. 4A is enclosed showing a mesh or membrane 40A. This is not new matter as such mesh or membrane is described as an overlay on page 6, lines 26-27, of the specification. Entry of the figure is requested.

In the specification, the paragraph at page 6, line 21, to page 7, line 9, is amended to describe that the specimen is held down by the clamping mechanism in a fixed orientation. This is not new matter as the tissue specimen is held down to keep it in a fixed orientation against the window 32 as evident by the clamping mechanisms described in this paragraph and shown in the figures. This same paragraph and the first paragraph of page 1, are also amended to update patent numbers of referenced patent applications. Further, a paragraph is inserted on page 4 to describe new FIG. 4A. Entry of the amended specification is requested.